



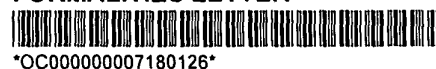
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/987,763	11/15/2001	Corey M. Crafton	15331940002

CONFIRMATION NO. 7167

FORMALITIES LETTER



OC000000007180126

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

Date Mailed: 12/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1458.
 - \$954 for 53 total claims over 20.
 - \$504 for 6 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2328.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com



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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

February 5, 2002

WRITER'S DIRECT NUMBER:

(202) 371-2544

INTERNET ADDRESS:

MCIMBALA@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box: Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 09/987,763; Filed: November 15, 2001
For: **Nucleotide Sequences for Transcriptional Regulation in**
Corynebacterium glutamicum
Inventors: Crafton *et al.*
Our Ref: 1533.1940002/MAC/MBT

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. A copy of the Notice to File Missing Parts of Nonprovisional Application;
2. Fee Transmittal Form (PTO/SB/17);
3. An original executed Declaration;
4. Preliminary Amendment;
5. One (1) return postcard; and
6. Our check no. 34103 for \$2,244.00 to cover:
 - \$ 740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);
 - \$1,374.00 Extra claim fee (37 C.F.R. 1.16);
 - \$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16).

Commissioner for Patents

February 5, 2002

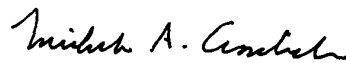
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

MAC/MBT/lam
Enclosures

FEE TRANSMITTAL for FY 2002		Complete if Known	
Patent fees are subject to annual revision		Application Number	09/987,763
Patent and Trademark Office		Filing Date	November 15, 2001
Patent and Trademark Office		First Named Inventor	Corey M. Crafton
Patent and Trademark Office		Examiner Name	To be assigned
Patent and Trademark Office		Group Art Unit	1645
Patent and Trademark Office		Attorney Docket No.	1533.1940002/MAC/MBT

METHOD OF PAYMENT (check one) 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. </div> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* <small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small>	FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td></td><td></td><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>139</td><td>130</td><td>139 130 Non-English specification</td><td></td></tr> <tr><td></td><td></td><td>147</td><td>2,520</td><td>147 2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td></td><td></td><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td></td></tr> <tr><td></td><td></td><td>116</td><td>400</td><td>216 200 Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>117</td><td>920</td><td>217 460 Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>118</td><td>1,440</td><td>218 720 Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>128</td><td>1,960</td><td>228 980 Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>119</td><td>320</td><td>219 160 Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td>120</td><td>320</td><td>220 160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>121</td><td>280</td><td>221 140 Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td></td><td></td><td>141</td><td>1,280</td><td>241 640 Petition to revive - unintentional</td><td></td></tr> <tr><td></td><td></td><td>142</td><td>1,280</td><td>242 640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td></td><td></td><td>143</td><td>460</td><td>243 230 Design issue fee</td><td></td></tr> <tr><td></td><td></td><td>144</td><td>620</td><td>244 310 Plant issue fee</td><td></td></tr> <tr><td></td><td></td><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td></td></tr> <tr><td></td><td></td><td>123</td><td>130</td><td>123 130 Petitions related to provisional applications</td><td></td></tr> <tr><td></td><td></td><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td></td><td></td><td>581</td><td>40</td><td>481 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td></td><td></td><td>146</td><td>740</td><td>246 370 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td></td><td></td><td>149</td><td>740</td><td>249 370 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td></td><td></td><td>179</td><td>740</td><td>279 370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td></td><td></td><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify): _____</p> <p>Other fee (specify): _____</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee paid			105	130	205 65 Surcharge - late filing fee or oath	130.00			127	50	227 25 Surcharge - late provisional filing fee or cover sheet				139	130	139 130 Non-English specification				147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination				112	920*	112 920* Requesting publication of SIR prior to Examiner action				113	1,840*	113 1,840* Requesting publication of SIR after Examiner action				115	110	215 55 Extension for reply within first month				116	400	216 200 Extension for reply within second month				117	920	217 460 Extension for reply within third month				118	1,440	218 720 Extension for reply within fourth month				128	1,960	228 980 Extension for reply within fifth month				119	320	219 160 Notice of Appeal				120	320	220 160 Filing a brief in support of an appeal				121	280	221 140 Request for oral hearing				138	1,510	138 1,510 Petition to institute a public use proceeding				140	110	240 55 Petition to revive - unavoidable				141	1,280	241 640 Petition to revive - unintentional				142	1,280	242 640 Utility issue fee (or reissue)				143	460	243 230 Design issue fee				144	620	244 310 Plant issue fee				122	130	122 130 Petitions to the Commissioner				123	130	123 130 Petitions related to provisional applications				126	180	126 180 Submission of Information Disclosure Stmt				581	40	481 40 Recording each patent assignment per property (times number of properties)				146	740	246 370 Filing a submission after final rejection (37 CFR 1.129(a))				149	740	249 370 For each additional invention to be examined (37 CFR 1.129(b))				179	740	279 370 Request for Continued Examination (RCE)				169	900	169 900 Request for expedited examination of a design application	
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FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	740.00
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 740.00)

2. EXTRA CLAIM FEES			
Extra	Fee from below	Fee Paid	
Total Claims 73 - 20** = 53	X 18.00	=	954.00
Indep. Claims 8 - 3** = 5	X 84.00	=	420.00
Multiple Dependent 0	=		0.00

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
103	203	18	9	Claims in excess of 20
102	202	84	42	Independent claims in excess of 3
104	204	280	140	Multiple dependent claim
108	209	84	42	**Reissue independent claims over original patent
110	210	18	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				
(\$ 1,374.00)				

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Michele A. Cimbala	Registration No.	33,851	Telephone	202-371-2600
Signature	<i>Michele A. Cimbala</i>	Date	Feb. 5, 2002		

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